

Appl. No. : 10/760,127
Filed : January 16, 2004

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks.

Preliminary Matters

Applicants note that the Examiner references the January 16, 2004 date of the filing of the present application, while the restriction requirement appears to be responsive to a May 27, 2004 preliminary amendment with Claims 1-20. Applicants also assume that the reference made by the Examiner to 35 U.S.C. § 112 for the further restriction within Group II is a typographical error and should read 35 U.S.C. § 121, and Applicants respond accordingly.

Restriction Requirement:

In the August 16, 2004 Office Action, the Examiner restricted Claims 1-20 under 35 U.S.C. § 121. The Examiner groups the claims as follows.

Group I: Claims 1-5, drawn to a magnetic memory device;
Group II: Claims 6-20 drawn to a digital computer or a digital system. The Examiner requires election of one of the two groups.

The Examiner further states that if Group II is elected, then Group II is further restricted to:

Subgroup A: Claims 6-11 drawn to a digital computer; or
Subgroup B: Claims 12-20 drawn to a digital system.

In response to the restriction requirement, Applicants elect, without traverse, Group II, Subgroup A, with Claims 6-11, drawn to a digital computer. Claims 1-5 and 12-20 have been cancelled as being drawn to a non-elected invention. Applicants reserve the right to pursue the cancelled claims in a divisional application.

Added Claims:

Applicants have added new Claims 21-31, also drawn to a digital computer.

Summary

In view of the foregoing, Applicants respectfully submit that Claims 6-11 and 21-31 are in condition for examination on the merits and request the same. If there are any remaining

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issues that can be resolved by a telephone conference, the Examiner is invited to call the undersigned attorney at (310) 407-3466 or at the number listed below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Sept. 10, 2004

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